



**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Henry Zarate,
Defendant.

Case No. 16-337M

ORDER OF DETENTION

I.

The Court conducted a detention hearing:

☐ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case
allegedly involving Choose an item.

☒ On motion by the Government or on the Court's own motion
[18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the
defendant will flee.

The Court concludes that the Government is not entitled to a rebuttable
presumption that no condition or combination of conditions will reasonably assure

1 the defendant's appearance as required and the safety of any person or the
2 community [18 U.S.C. § 3142(e)(2)].

3 II.
4

5 The Court finds that no condition or combination of conditions will
6 reasonably assure: ☒ the appearance of the defendant as required.
7 ☐ the safety of any person or the community. Choose an item.
8

9 III.
10

11 The Court has considered: (a) the nature and circumstances of the offense(s)
12 charged, including whether the offense is a crime of violence, a Federal crime of
13 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,
14 or destructive device; (b) the weight of evidence against the defendant; (c) the
15 history and characteristics of the defendant; and (d) the nature and seriousness of
16 the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also
17 considered all the evidence adduced at the hearing and the arguments, the
18 arguments of counsel, and the report and recommendation of the U.S. Pretrial
19 Services Agency.

20 IV.
21

22 The Court bases its conclusions on the following:

As to risk of non-appearance:

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- 23 ☒ Lack of bail resources
24 ☒ No stable residence or employment
25 ☒ Previous failure to appear
26 ☒ History of outstanding warrants
27 ☒ Defendant is currently on summary probation
28

As to danger to the community:

☒ Criminal history includes misdemeanor convictions for petty theft and appropriating lost property and felony conviction for receiving known stolen property and arrests for narcotics offenses and grand theft auto

☒ Admitted drug use

V.

IT IS THEREFORE ORDERED that the defendant be detained until trial.

The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal.

The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

[18 U.S.C. § 3142(i)]

Dated: February 18, 2015

_____/s/_____
HON. ALKA SAGAR
UNITED STATES MAGISTRATE JUDGE